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Attorneys for Plaintiffs,

Jane Roe and Kip Holland

2014 FEB 28 AM 11:30

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY: _____

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

JANE ROE and KIP HOLLAND,

Plaintiffs,

vs.

CITY OF SAN LUIS OBISPO;
COUNTY OF SAN LUIS OBISPO;
CORY PIERCE; and DOES 1 through
10 inclusive,

Defendants.

Case No. **CV 14-1520 RGK-MRW**

COMPLAINT FOR DAMAGES FOR:

1. VIOLATION OF CIVIL RIGHTS [42 U.S.C. § 1983];
2. VIOLATION OF CIVIL RIGHTS [42 U.S.C. § 1983];
3. VIOLATION OF CIVIL RIGHTS-MONELL CLAIM [42 U.S.C. §§ 1983, 1988]
4. EXTORTION
5. NEGLIGENCE

DEMAND FOR JURY TRIAL

Plaintiffs, JANE ROE and KIP HOLLAND, hereby allege as follows:

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked under 28 U.S.C. §§ 1343, (1), (2), (3) and (4). This action at law for money damages arises under Title 42 U.S.C. § 1983, Title 42 U.S. C. § 1985 and the United States Constitution, the laws of the State of California and common law principles to redress a deprivation under color of state law of rights, privileges and immunities secured by Plaintiffs by said statutes, and by the First, Fourth, Thirteenth and Fourteenth Amendments to the United States Constitution.
2. Venue in this district and division is proper under 28 U.S.C. § 1391 (b) and 29 U.S.C. §

1 1132 (e), because a substantial portion of the events giving rise to the claims asserted
 2 herein occurred in the County of San Luis Obispo, within the Central District of
 3 California.

4 **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

5 3. At all times herein mentioned, Plaintiff JANE ROE ("ROE"), was a resident of the
 6 County of San Luis Obispo, California.

7 4. At all times herein mentioned, Plaintiff KIP HOLLAND ("HOLLAND"), was a
 8 resident of the County of San Luis Obispo, California.

9 5. At all times herein mentioned, Defendant CORY PIERCE ("PIERCE") was employed
 10 as a peace officer with the City of San Luis Obispo and the San Luis Obispo Police
 11 Department.

12 6. Defendant CITY OF SAN LUIS OBISPO ("CITY") is and at all times herein
 13 mentioned has been a public entity and an incorporated city duly authorized and
 14 existing as such in and under the laws of the State of California; and at all times herein
 15 mentioned, CITY has possessed the power and authority to adopt policies and
 16 prescribe rules, regulations and practices affecting the operation of the San Luis
 17 Obispo Police Department, and particularly said Department's Narcotics, Patrol,
 18 Internal Investigations and Training and Personnel Divisions and other operations and
 19 subdivisions presently unidentified to Plaintiffs, and their tactics, methods, practices,
 20 customs and usages.

21 7. At all times herein mentioned, PIERCE was assigned to the Narcotics Task Force with
 22 the San Luis Obispo County Sheriff's Office.

23 8. Defendant COUNTY OF SAN LUIS OBISPO ("COUNTY") is and at all times herein
 24 mentioned has been a public entity and a county duly authorized and existing as such
 25 in and under the laws of the State of California; and at all times herein mentioned,
 26 COUNTY has possessed the power and authority to adopt policies and prescribe rules,
 27 regulations and practices affecting the operation of the San Luis Obispo Sheriff's
 28 Office, and particularly said Offices's Narcotics Task Force, Internal Investigations

1 and Training and Personnel Divisions and other operations and subdivisions presently
2 unidentified to Plaintiffs, and their tactics, methods, practices, customs and usages.

3 9. Plaintiffs are informed and believe and thereon allege that each of the Defendants
4 designated as a DOE are intentionally responsible in some manner for the events and
5 happenings herein referred to, and thereby proximately caused injuries and damages as
6 herein alleged. The true names and capacities of DOES 1 through 50, inclusive, and
7 each of them, are not now known to Plaintiffs who therefore sue said Defendants by
8 such fictitious names and Plaintiffs shall seek leave of the Court to amend the
9 Complaint to allege the true names and capacities of said Defendants as they are
10 ascertained.

11 10. Defendants, and each of them, did the acts and omissions hereinafter alleged in bad
12 faith and with knowledge that their conduct violated well established and settled law.

13 11. Plaintiffs sue each and all Defendants in both their individual and official capacities.

14 12. Plaintiffs are informed and believe, and thereon allege, that Defendant CITY trained
15 and hired as a law enforcement officer Defendant PIERCE.

16 13. Plaintiffs are informed and believe, and thereon allege, that on or about the dates
17 when the events surrounding the injuries to Plaintiffs occurred, Defendant PIERCE
18 was acting in his capacity as a law enforcement officer employed by Defendant CITY.

19 14. Plaintiffs are informed and believe, and thereon allege, that on or about the dates
20 when the events surrounding the injuries to Plaintiffs occurred, Defendant PIERCE
21 was acting in his capacity as a law enforcement officer assigned to Defendant
22 COUNTY'S Narcotics Task Force.

23 15. Defendant PIERCE first came into contact with JANE ROE and KIP HOLLAND in
24 March of 2011. HOLLAND was arrested for possession of heroin by officers from
25 the Grover Beach Police Department following a traffic stop. The Grover Beach
26 Police Department called in PIERCE who transported HOLLAND to the San Luis
27 Obispo Police Department. PIERCE attempted to interrogate HOLLAND, but
28 HOLLAND asserted his right to remain silent. HOLLAND was booked into the jail.

1 16. When HOLLAND was released from jail, he noticed that his wallet was missing from
2 the property returned to him. He left a message for PIERCE inquiring about the
3 wallet and later received a call back from PIERCE. PIERCE instructed him to pick up
4 the wallet at the San Luis Obispo Police Department. HOLLAND drove to the police
5 department with his girlfriend JANE ROE to pick up his wallet. ROE went into the
6 police department and PIERCE returned the wallet. He requested ROE's phone
7 number and ROE gave it to him.

8 17. PIERCE called ROE and asked her to obtain prescription painkillers for him. He told
9 ROE not to mention the request to HOLLAND. ROE told him she was not interested
10 in obtaining drugs for him. However, PIERCE persisted. He called her repeatedly
11 until ROE gave in. PIERCE led her to believe that if she did what he said, he would
12 help HOLLAND with his criminal charges. PIERCE directed ROE not to tell
13 HOLLAND what she was doing but HOLLAND eventually found out anyway.
14 PIERCE later demanded that HOLLAND obtain drugs for him as well.

15 18. In April of 2011, HOLLAND entered a plea in his drug possession case and was
16 placed on probation. He was sentenced to 20 days in jail as a condition of probation
17 and ordered to report to probation upon his release. However, PIERCE came to the
18 jail and picked him up early. PIERCE told him not to report to probation and that he
19 would take care of it. As a result, HOLLAND had almost no contact with his assigned
20 probation officer and did not participate in drug testing or treatment.

21 19. PIERCE's demands of ROE and HOLLAND increased as time passed. In addition to
22 painkillers, PIERCE demanded that ROE and HOLLAND obtain money and heroin
23 for him. PIERCE gave ROE and HOLLAND information regarding police
24 investigations so that they would not be caught obtaining drugs for him. PIERCE told
25 them which drug houses to stay away from and advised them to obtain drugs at other
26 locations.

27 20. In March of 2012, PIERCE gave ROE placebo oxycodone pills and directed her to
28 trade the pills to drug dealers for painkillers. PIERCE also provided ROE with

1 methamphetamine.

2 21. ROE spent approximately six weeks in a drug rehabilitation program in Santa Barbara
3 County, beginning in April of 2012. She got rid of her phone so that PIERCE could
4 not reach her. When she left the program and returned to San Luis Obispo County,
5 PIERCE contacted her and again demanded that she supply him with drugs, which led
6 to a relapse.

7 22. In June of 2012, PIERCE directed ROE and HOLLAND to set up a drug dealer to rob
8 him. At PIERCE's direction, ROE and HOLLAND arranged a meeting with a drug
9 dealer. PIERCE pulled over the drug dealer shortly after the meeting and robbed him
10 at gunpoint.

11 23. On numerous occasions, PIERCE directed ROE to go to emergency rooms and falsely
12 describe symptoms so that she could obtain prescription painkillers for him. PIERCE
13 followed her from the emergency room to a pharmacy to ensure that she complied
14 with giving him the drugs. The prescription drugs include painkillers and drugs that
15 treat opiate addiction.

16 24. PIERCE threatened ROE and HOLLAND with imprisonment if they did not comply
17 with his demands. He followed through with the threat and had HOLLAND arrested
18 and brought before the court on an alleged probation violation. The judge ordered
19 HOLLAND to report to probation, but PIERCE again told him that he would take care
20 of it. PIERCE also made threats of violence, telling ROE that he could make her and
21 HOLLAND disappear. ROE and HOLLAND lived in constant fear of PIERCE. They
22 believed he was capable of using his position as a police detective to plant drugs on
23 them and have them arrested or cause them physical harm.

24 25. PIERCE used his position as a police detective to force ROE into engaging in sexual
25 acts with him. PIERCE used the threat of arresting ROE and HOLLAND to force her
26 to submit. In particular, PIERCE forced ROE into an act of oral copulation and, on
27 another occasion, forced sexual intercourse. There was an additional incident when
28 he pushed and rubbed his body up against her.

1 26. In November of 2012, ROE was arrested for entering a commercial dwelling, burglary
2 and grand theft. She was placed in custody at the San Luis Obispo County Jail.

3 27. In January of 2013, ROE and HOLLAND reported PIERCE's conduct to the FBI and
4 began cooperating with a federal investigation. HOLLAND agreed to record his
5 conversations with PIERCE. The recorded conversations documented PIERCE
6 demanding that HOLLAND buy and sell drugs for him.

7 28. On February 5, 2013, PIERCE was arrested by the FBI. On March 1, 2013, he was
8 indicted in United States District Court for the Central District of California for
9 bribery in violation of Title 18 USC § 666(a)(1)(B) and extortion in violation of Title
10 18 USC § 1951. On July 8, 2013, Piece entered a plea of guilty to one count of
11 extortion. On December 9, 2013, he was sentenced to 18-months in the Bureau of
12 Prisons. He began serving his sentence on January 27, 2014.

13 29. As a result of her arrest in November of 2012, ROE was sentenced to serve a jail term
14 at the San Luis Obispo County Jail. As a result of her cooperation in the investigation
15 of PIERCE, ROE is serving her jail time in protective custody. She is confined to a
16 10x10 cell for 23 hours a day. Unlike inmates in the general population, she is unable
17 to participate in self-improvement programs at the jail including a 12-step program.

18 30. Plaintiffs timely filed government tort claims with CITY.
19

20 **FIRST CAUSE OF ACTION BY PLAINTIFF JANE ROE FOR VIOLATION OF**
21 **CIVIL RIGHTS AGAINST DEFENDANT PIERCE**

22 **(42 U.S.C. § 1983)**

23 31. Plaintiff JANE ROE incorporates by this reference, as if fully set forth herein, the
24 allegations set forth in the preceding paragraphs of this Complaint.

25 32. Commencing at or about the aforementioned dates and places, without cause or
26 justification, and acting under color of law, Defendant PIERCE intentionally and
27 maliciously deprived ROE of rights secured to her by the First, Fourth, Thirteenth and
28 Fourteenth Amendments to the United States Constitution. PIERCE subjected ROE to

1 extortion, indentured servitude, sexual assault and molestation and deprived her of rights
2 secured by the United States Constitution.

3 33. As a proximate result of the aforesaid acts and omissions of PIERCE, ROE sustained
4 great physical and mental pain and shock to her nervous system, fear, anxiety, torment,
5 degradation and emotional distress.

6 34. By reason of the aforementioned acts and omissions of PIERCE, ROE was compelled to
7 secure the services of an attorney at law to redress the wrongs hereinbefore mentioned
8 and by virtue thereof, ROE is indebted and liable for attorneys fees.

9 35. The aforementioned acts and omissions of PIERCE were committed knowingly, wilfully
10 and maliciously, with the intent to harm, injure, vex, harass and oppress ROE with a
11 conscious disregard of ROE's constitutional rights and by reason thereof, Plaintiff seeks
12 punitive and exemplary damages from PIERCE in an amount as proved.

13
14 **SECOND CAUSE OF ACTION BY PLAINTIFF KIP HOLLAND FOR**
15 **VIOLATION OF CIVIL RIGHTS AGAINST DEFENDANT PIERCE**
16 **(42 U.S.C. § 1983)**

17 36. Plaintiff KIP HOLLAND incorporates by this reference, as if fully set forth herein, the
18 allegations set forth in the preceding paragraphs of this Complaint.

19 37. Commencing at or about the aforementioned dates and places, without cause or
20 justification, and acting under color of law, Defendant PIERCE intentionally and
21 maliciously deprived HOLLAND of rights secured to him by the First, Fourth, Thirteenth
22 and Fourteenth Amendments to the United States Constitution. PIERCE subjected
23 HOLLAND to extortion and indentured servitude and deprived him of rights secured by
24 the United States Constitution.

25 38. As a proximate result of the aforesaid acts and omissions of PIERCE, HOLLAND
26 sustained mental pain and shock to his nervous system, fear, anxiety, torment,
27 degradation and emotional distress.

28 39. By reason of the aforementioned acts and omissions of PIERCE, HOLLAND was

1 compelled to secure the services of an attorney at law to redress the wrongs hereinbefore
2 mentioned and by virtue thereof, HOLLAND is indebted and liable for attorneys fees.

3 40. The aforementioned acts and omissions of PIERCE were committed knowingly, wilfully
4 and maliciously, with the intent to harm, injure, vex, harass and oppress HOLLAND with
5 a conscious disregard of HOLLAND's constitutional rights and by reason thereof,
6 HOLLAND seeks punitive and exemplary damages from PIERCE in an amount as
7 proved.

8
9 **THIRD CAUSE OF ACTION BY PLAINTIFFS JANE ROE AND KIP HOLLAND**
10 **FOR VIOLATION OF CIVIL RIGHTS (42 U.S.C. §§ 1983, 1988) AGAINST**
11 **DEFENDANTS CITY AND COUNTY (MONELL CLAIM)**

12 41. Plaintiff ROE incorporates by this reference, as if fully set forth herein, the allegations
13 set forth in the preceding paragraphs of this Complaint.

14 42. Defendants CITY and COUNTY are and at all times herein mentioned have been public
15 entities and municipalities duly authorized and existing as such in and under the laws of
16 the State of California; and at all times herein mentioned, possessed the power and
17 authority to adopt policies and prescribe rules, regulations and practices affecting the
18 operation of the San Luis Obispo Police Department and San Luis Obispo County
19 Sheriff's Office, respectively, and in the tactics, methods, practices, customs and usages
20 related to internal investigations, personnel supervision and records maintenance, and the
21 proper uses of force by their rank and file, generally.

22 43. At all times herein mentioned, Defendants CITY and COUNTY implicitly or explicitly
23 adopted and implemented careless and reckless policies, customs, or practices, and failed
24 to provide sufficient training for Defendant PIERCE.

25 44. Defendants CITY and COUNTY knowingly maintain and permit official *sub-rosa*
26 policies or customs of permitting the occurrence of the kinds of wrongs set forth herein,
27 by deliberate indifference to police abuse, failing and refusing to fairly and impartially
28 investigate, discipline or prosecute peace officers who commit acts of felonious

1 dishonesty and crimes, each ratified and approved by CITY and COUNTY.

2 45. Defendants CITY and COUNTY'S customs, policies, practices and/or procedures create
3 and allow for, *inter alia*, an ongoing pattern by all Defendants of condoning and having
4 a deliberate indifference toward citizens' constitutional rights, specifically in connection
5 with PIERCE'S violations of Plaintiffs' rights.

6 46. Defendants CITY and COUNTY's customs, policies, practices and/or procedures create
7 and allow for, *inter alia*, a failure by CITY and COUNTY to adequately train, supervise,
8 discipline, screen and hire police officers in connection with citizens' constitutional
9 rights.

10 47. Specifically, but not limited to, the policy of failing to train and supervise narcotics
11 officers working with informants allowed Defendant PIERCE to act with impunity in
12 connection with violating citizens' constitutional rights.

13 48. Defendants CITY and COUNTY'S actions constitute deliberate indifference.

14 49. Defendant PIERCE acted in conformity with this policy of deliberate indifference to
15 constitutional rights when he violated Plaintiffs' civil rights.

16 50. Defendants CITY and COUNTY's policies, customs or practices, caused Plaintiffs'
17 injuries.

18 51. As a direct and proximate result of Defendants CITY and COUNTY'S acts and
19 omissions, Plaintiffs have suffered and continues to suffer from mental pain, fear,
20 anxiety, torment, degradation and emotional distress.

21
22 **FOURTH CAUSE OF ACTION BY PLAINTIFFS JANE ROE AND KIP**
23 **HOLLAND FOR EXTORTION AGAINST DEFENDANTS CORY PIERCE AND**
24 **CITY OF SAN LUIS OBISPO**

25 52. Plaintiffs ROE and HOLLAND incorporates by this reference, as if fully set forth
26 herein, the allegations set forth in the preceding paragraphs of this Complaint.

27 53. Defendant PIERCE, with the intent to extort money and property from Plaintiffs,
28 made express and implied threats:

- a. to do an unlawful injury to the person or property of Plaintiffs;
- b. to accuse Plaintiffs of crimes;
- c. to expose, or impute to Plaintiffs, alleged crimes; and
- d. to expose secrets affecting Plaintiffs.

54. Defendant PIERCE made the threats described above to extort money and other property from Plaintiffs, i.e. to obtain money and property from Plaintiffs with their consent, which consent PIERCE sought to induce by a wrongful use of fear.

55. Defendant PIERCE made the following specific threats in order to wrongfully generate fear in Plaintiffs: (1) to arrest and incarcerate Plaintiffs for crimes they did not commit; and (2) to make Plaintiffs "disappear."

56. The extortion caused Plaintiffs great physical and mental pain and shock to their nervous systems, fear, anxiety, torment, degradation and emotional distress.

57. Defendant PIERCE was acting in the course and scope of his employment with the San Luis Obispo Police Department and Defendant CITY is vicariously liable pursuant to California Government Code § 815.2.

**FIFTH CAUSE OF ACTION BY PLAINTIFFS JANE ROE AND KIP HOLLAND
FOR NEGLIGENCE AGAINST DEFENDANTS CORY PIERCE AND CITY OF
SAN LUIS OBISPO**

58. Plaintiffs incorporate by reference the allegations contained in the preceding paragraphs inclusive, as though fully set forth therein.

59. Defendant PIERCE owed a duty of care to Plaintiffs and breached that duty by negligently and unreasonably extorting Plaintiffs without legal justification.

60. Defendant PIERCE was acting in the course and scope of his employment with the San Luis Obispo Police Department and Defendant CITY is vicariously liable pursuant to California Government Code § 815.2.

PRAYER

WHEREFORE, PLAINTIFF prays for judgment against Defendants, and each of them,


1 for the following:

- 2 1. For general damages according to proof;
3 2. For special damages according to proof;
4 3. For punitive damages as provided by law, in an amount to be proved against each
5 individual Defendant, except CITY and COUNTY;
6 4. For attorney's fees pursuant to 42 U.S.C. § 1988.
7 5. For costs of suit;
8 6. For such other and further relief as the Court may deem just and proper.

9 Dated: February 25, 2014

SANGER SWYSEN & DUNKLE

10
11 By:



Stephen K. Dunkle
Attorneys for Plaintiffs
Jane Roe and Kip Holland

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a jury trial as provided by Rule 38(a) of the Federal Rules of Civil Procedure.

Dated: February 25, 2014

SANGER SWYSEN & DUNKLE

By: 

Stephen K. Dunkle
Attorneys for Plaintiffs
Jane Roe and Kip Holland

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge _____ R. Gary Klausner _____ and the assigned Magistrate Judge is _____ Michael R. Wilner _____ .

The case number on all documents filed with the Court should read as follows:

2:14-cv-01520 RGK-MRWx

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

February 28, 2014

Date

By SBOURGEOIS
Deputy Clerk

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:



Western Division
312 N. Spring Street, G-8
Los Angeles, CA 90012



Southern Division
411 West Fourth St., Ste 1053
Santa Ana, CA 92701



Eastern Division
3470 Twelfth Street, Room 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the

JANE ROE and KIP HOLLAND

Plaintiff(s)

v.

CITY OF SAN LUIS OBISPO; COUNTY OF SAN
LUIS OBISPO; CORY PIERCE; and DOES 1 through
40 inclusive

Defendant(s)

Civil Action No. **CV14-1520 RGK-MRW**

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) City of San Luis Obispo, 990 Palm Street, San Luis Obispo, CA 93401

County of San Luis Obispo, 1055 Monterey Street, San Luis Obispo, CA 93408

Cory Pierce, Federal Bureau of Prisons, Metropolitan Correctional Center, 808 Union
Street San Diego, CA 92101

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Stephen K. Dunkle
SANGER SWYSEN & DUNKLE
125 E. De La Guerra Street, Suite 102
Santa Barbara, CA 93101

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

FEB 28 2014

Date:

CLERK OF COURT



Signature of Clerk of Court

1184

ORIGINAL

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: _____

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I. (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) JANE ROE and KIP HOLLAND	DEFENDANTS (Check box if you are representing yourself <input type="checkbox"/>) CITY OF SAN LUIS OBISPO; COUNTY OF SAN LUIS OBISPO; CORY PIERCE; and DOES 1 through 50 inclusive
(b) County of Residence of First Listed Plaintiff <u>San Luis Obispo</u> (EXCEPT IN U.S. PLAINTIFF CASES)	County of Residence of First Listed Defendant _____ (IN U.S. PLAINTIFF CASES ONLY)
(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. Stepheer K. Dunkle, SANGER SWYSEN & DUNKLE, 125 E. De La Guerra Street, Santa Barbara, CA 93101, (805) 962-4887	Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1. U.S. Government Plaintiff <input type="checkbox"/> 2. U.S. Government Defendant <input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES -For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant) <table style="width:100%;"> <tr> <td style="width:33%;">Citizen of This State</td> <td style="width:10%;">PTF <input type="checkbox"/> 1</td> <td style="width:10%;">DEF <input type="checkbox"/> 1</td> <td style="width:33%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%;">PTF <input type="checkbox"/> 4</td> <td style="width:10%;">DEF <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td>PTF <input type="checkbox"/> 2</td> <td>DEF <input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td>PTF <input type="checkbox"/> 5</td> <td>DEF <input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td>PTF <input type="checkbox"/> 3</td> <td>DEF <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td>PTF <input type="checkbox"/> 6</td> <td>DEF <input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4	Citizen of Another State	PTF <input type="checkbox"/> 2	DEF <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	PTF <input type="checkbox"/> 5	DEF <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	PTF <input type="checkbox"/> 3	DEF <input type="checkbox"/> 3	Foreign Nation	PTF <input type="checkbox"/> 6	DEF <input type="checkbox"/> 6
Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4														
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Citizen or Subject of a Foreign Country	PTF <input type="checkbox"/> 3	DEF <input type="checkbox"/> 3	Foreign Nation	PTF <input type="checkbox"/> 6	DEF <input type="checkbox"/> 6														

IV. ORIGIN (Place an X in one box only.)

☒ 1. Original Proceeding
 ☐ 2. Removed from State Court
 ☐ 3. Remanded from Appellate Court
 ☐ 4. Reinstated or Reopened
 ☐ 5. Transferred from Another District (Specify) _____
 ☐ 6. Multi-District Litigation

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ According to proof

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 42 U.S.C. section 1983, 1988 for violation of Plaintiffs' civil rights; additional state law claims under supplemental jurisdiction pursuant to 28 U.S.C. section 1367 for extortion and negligence

VII. NATURE OF SUIT (Place an X in one box only).

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	REAL PROPERTY	<input type="checkbox"/> 360 Other Personal Injury	<input checked="" type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	LABOR	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF? Then check the box below for the county in which the majority of DEFENDANTS reside.	A DEFENDANT? Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
	<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western

Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row)	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. →	C.2. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

Question D: Initial Division? Enter the initial division determined by Question A, B, or C above: →	INITIAL DIVISION IN CACD WESTERN DIVISION
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**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

IX(a). IDENTICAL CASES: Has this action been previously filed **in this court** and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed **in this court** that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

X. SIGNATURE OF ATTORNEY

(OR SELF-REPRESENTED LITIGANT): _____

DATE: February 25, 2014

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))